

MEMORANDUM OF UNDERSTANDING BETWEEN THE UNITED STATES COAST GUARD  
AND THE  
CANADIAN COAST GUARD CONCERNING RECIPROCAL RECOGNITION OF GREAT LAKES  
LOAD LINES

1. The United States Coast Guard and the Canadian Coast Guard reaffirm the reciprocal recognition of load line regulations that each country has in force on the Great Lakes of North America, recognizing that these regulations indicate the mutual desire of the United States and Canada to maintain equivalent levels of safety with respect to Great Lakes shipping.
2. The two agencies recall that from April 1938 to March 1940 the United States and Canada exchanged a series of notes recognizing that the load line regulations of both countries were equally effective. Since 1964 the two countries have undertaken a technical survey of ship strength and wave research the Great Lakes, which is continuing under the Volpe-Jamieson Agreement of June 18, 1970. More recently, the two agencies have discussed load line regulation changes, exchanged draft regulations for review and comment, and, in May 1973, published new Great Lakes load line regulations in the Federal Register and the Canada Gazette.
3. Desiring to continue this spirit of mutual respect and cooperation, the United States Coast Guard and the Canadian Coast Guard, agree, subject to the availability of funds:
  - (A) to maintain official communication between the two agencies for the purpose of identifying possible inequalities in the technical level of safety achieved or in the administration of load line regulations;
  - (B) to cooperate in research programs aimed at achieving a better understanding of ship strength, stability and survival capability, subdivision and weathertight integrity; and
  - (C) to attempt to eliminate observed discrepancies and to discuss new regulations so as to maintain equivalency of the regulations.
4. The operative provisions of the Memorandum of Understanding shall be reviewed by the United States Coast Guard and the Canadian Coast Guard at least once every three years to ensure that overall objectives are being achieved.
5. Signed and effective this 21st day of November, 1977.



**For the United States Coast Guard**



**For the Canadian Coast Guard**

Inspection Agreement between  
International Pacific Halibut Commission  
and the U.S. Coast Guard

The International Pacific Halibut Commission (IPHC) is a Canadian and United States agency established by treaty and responsible for the management of the halibut fishery on the Pacific coast from California to the Bering Sea including British Columbia. The IPHC at various times charters U.S. vessels to conduct research consisting of fishing operations and the collection of oceanographic data. The chartered vessels in most cases would not be required to be inspected and certificated by the Coast Guard since the vessels would be considered oceanographic vessels as defined in 46 USC 441. The IPHC has voluntarily requested that these chartered vessels be inspected by the Coast Guard for safety reasons which is the subject of this agreement.

Agreement

1. Request for Inspection. The IPHC, upon selecting a U.S. commercial fishing vessel for award of a charter, will notify the Commandant (G-MVI), U.S. Coast Guard, Washington, D.C. and provide the following information:

- a) Name of vessel
- b) Official Number
- c) Geographical area of operation
- d) Mission
- e) Charter period
- f) Vessel owner, address, and phone number
- g) Vessel's location for inspection
- h) IPHC field contact

Upon receipt of this information the Coast Guard will notify the appropriate Officer in Charge, Marine Inspection in order that an inspection of the vessel may be made. Inspections of the vessels under this agreement will not be made by the cognizant Officer in Charge, Marine Inspection until notification is received from the Commandant as noted above.

2. Applicable Regulations. The vessel(s) to be chartered by the IPHC will be inspected for compliance with Title 46 Code of Federal Regulations (CFR) Parts 24, 25, and 26, (Subchapter C - Uninspected Vessels) with the exception of those portions relating to the carriage of passengers for hire (not applicable) and the requirements for lifesaving equipment (Subpart 25.25) and fire extinguishing equipment (Subpart 25.30). In lieu of complying with the lifesaving and fire extinguishing equipment requirements normally applicable to uninspected vessels, these vessels will comply with 46 CFR, Parts 180 and 181 (Subchapter T - Small Passenger Vessels - Under 100 Gross Tons) as may be applicable depending on the vessel's length and the intended operating route of the vessel while under charter.
3. Letter of Inspection. Vessels which have been inspected and found in compliance with the requirements set forth in paragraph 2 shall be issued a Letter of Inspection by the cognizant Officer in Charge, Marine Inspection. The original Letter of Inspection shall be posted aboard the vessel, a copy shall be furnished to Commandant (G-MVI/83), and a copy will be maintained in the issuing office's file.

4. Seaworthiness Standards. The IPHC will make careful selection of the vessels they intend to charter to insure that they are basically seaworthy. The Coast Guard inspection is not considered an inspection for seaworthiness; however, a cursory examination of the vessel structure will be made. If any manifestly unsafe structural conditions are observed, this fact will be reported to the Commandant and a Letter of Inspection will not be issued. In the event the Letter of Inspection is not issued due to the existence of such unsafe structural conditions, it is understood that the IPHC will cancel the pending charter and locate another vessel.
5. Limitations of Agreement. This agreement only applies to vessels of less than 300 gross tons, engaged in oceanographic research as defined in 46 USC 441.
6. Modifications to Agreement. Modifications or supplements to this basic agreement may be made by mutual consent. Such modifications or supplements will be in the form of addendums to this basic agreement.

Approved for International Pacific Halibut Commission

Signature: /s/Bernard E. Skud

Title: Director

Date: 26 September 1977

Approved for the United States Coast Guard

Signature: /s/ W. M. Benkert

Title: Rear Admiral, U.S. Coast Guard Chief, Office of Merchant Marine Safety

Date: 8 SEP 1977

U. S. COAST GUARD/CORPS OF ENGINEERS  
MEMORANDUM OF UNDERSTANDING

1. Purpose:

- a. The purpose of this Memorandum of Understanding between the United States Army Corps of Engineers and the United States Coast Guard is to clarify the responsibilities for safety on the navigable waters of the United States as a result of the enactment of the Ports and Waterways Safety Act of 1972 (P. L. 92-340). This is required to assure effective, efficient, and thorough regulation of waterway safety and to avoid duplication of effort. This agreement pertains to the transfer of certain navigation regulations from the Corps of Engineers to the Coast Guard.
- b. Nothing in this Memorandum is to be interpreted as contravening the terms of the existing Memorandum of Agreement between the Coast Guard and the Corps of Engineers dated 18 April 1973 pursuant to P. L. 89-670, the Department of Transportation Act.

2. Statutory Background:

- a. The United States Army Corps of Engineers. Pursuant to Sections 7 of 40 Stat. 266 and 6 of 32 Stat. 374, (33 USC 1), the Secretary of the Army acting through the Corps of Engineers exercises regulatory authority over the use, administration, and navigation of navigable waters of the United States. Pursuant to these authorities the navigation regulations contained in 33 CFR 207 were promulgated by the Corps of Engineers.
- b. The United States Coast Guard. The Ports and Waterways Safety Act of 1972 (86 Stat. 424, 33 USC 1221 et seq.) provides authority for the Secretary of the Department in which the Coast Guard is operating to regulate vessel navigation on certain navigable waters of the United States for purposes of marine safety and environmental protection. The Secretary of Transportation (see 49 CFR 1.46 (o) (4)) has delegated certain responsibilities to the Commandant of the Coast Guard including those contained in 33 USC 1221.

3. Agency Responsibilities:

- a. Pursuant to 33 USC 1221 et seq., the Coast Guard has authority to regulate vessel traffic on certain navigable waters of the United States. A significant portion of the regulations published in 33 CFR 207 under Corps of Engineers authority contained in 33 USC 1 relates to speed limits, non-Department of Defense restricted areas, and vessel operations affecting navigational safety. All regulations in 33 CFR 207 falling under Coast Guard responsibility, as determined by a joint agency working committee, shall be transferred from the Corps of Engineers to the Coast Guard. The Coast Guard will publish these regulations in 33 CFR Subchapter P and will be responsible for their enforcement. Close coordination in this regulatory process will be required since the separation and renumbering of certain parts will be necessary. The rescission of regulations by the Corps of Engineers and the promulgation by the Coast Guard in the Federal Register shall be accomplished concurrently to prevent confusion and to avoid a lapse in regulatory authority.

- b. All regulations in 33 CFR 207 not covered by the Coast Guard's authority granted by the Ports and Waterways Safety Act shall remain with the Corps of Engineers and will remain a part of 33 CFR 207. Enforcement responsibilities for these regulations will not be affected.
- c. Certain regulations within 33 CFR 207 (specifically: 207.200(b)(2), 207.306 (c), 207.510(d)(4), 207.640(p)(l)(v), and 207.670(b)) deal with temporary speed limits and channel closings in response to high water and critical flood stages. The Ports and Waterways Safety Act vests responsibility for promulgating these regulations in the Coast Guard, and it is planned that they will be among those transferred to the Coast Guard. In exercising this authority the Coast Guard recognizes the expertise of the Corps of Engineers in flood control activities. Accordingly, the responsible Coast Guard District Commander will consult with and, where possible, follow the recommendations of the District Engineer on matters pertaining to channel closings and temporary speed limits.
- d. The Chief of Engineers and the Commandant, U.S. Coast Guard, pledge mutual cooperation and consultation in making available timely information and data, in seeking uniformity and consistency among field offices, and in providing timely and adequate review of all matters arising in connection with the administration of their respective responsibilities under the Acts cited herein.

O. W. SILER  
ADMIRAL, U.S. Coast Guard  
Commandant, U.S. Coast Guard

Dated: 3 May 1977

J. W. MORRIS  
LIEUTERANT GENERAL, U.S. Army  
Chief of Engineers

Dated: 5 May 1977